

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority under section 101(b) of the Omnibus Regulatory Reform Amendment Act of 1998, effective April 29, 1998 (D.C. Law12-86; D.C. Official Code § 47-2851.04(c)(1)), hereby gives notice of the adoption of the following emergency rulemaking.

This emergency rulemaking will add a new chapter 5 to Title 17 of the District of Columbia Municipal Regulations establishing the fees to be charged by the Department of Consumer and Regulatory Affairs for all basic business licenses.

This emergency rulemaking is necessitated by the immediate need to comply with District law requirements of a balanced budget. The delay by the Council of the District of Columbia to review and approve the Fiscal Year 2010 Balanced Budget Support Emergency Act of 2010 has created the potential of an unbalanced budget. This emergency rulemaking will contribute the revenue necessary to maintain the District's balanced budget. The revenue obtained will be used to maintain critical services to the District's citizens and thereby preserve their health, safety, and welfare.

This emergency rulemaking was adopted on May 25, 2010, to become effective June 1, 2010. This emergency rulemaking will remain in effect for up to one hundred twenty (120) days from the date of effectiveness, unless earlier superseded by a notice of final rulemaking.

The Director also hereby gives notice of the intent to adopt this rule, in final, in not less than thirty (30) days from the publication of this notice in the *D.C. Register*.

Title 17 of the District of Columbia Municipal Regulations is amended by adding a new chapter 5 to read as follows:

CHAPTER 5 BASIC BUSINESS LICENSE SCHEDULE OF FEES

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501	Entertainment License Endorsements
502	Environmental Materials Endorsements
503	Housing: Transient Endorsements
504	Housing: Residential Endorsements
505	Inspected Sales and Services Endorsements
506	Manufacturing Endorsements
507	Motor Vehicle Sales, Service and Repair Endorsements
508	Public Health: Food Establishment Retail Endorsements
509	Public Health: Food Wholesale
510	Public Health: Public Accommodation Endorsements
511	Public Health: Pharmacy and Pharmaceuticals Endorsements
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- 513 Employment Services Endorsements
- 514 General Sales Endorsements
- 515 General Service and Repair Endorsements
- 516 General Business Endorsements

500 GENERAL PROVISIONS

- 500.1 This chapter establishes the fees and charges for licenses issued pursuant to the basic business license system (D.C. Official Code § 47-2851.01 *et seq.*).
- 500.2 The Director shall charge a fee of seventy dollars (\$70) for each basic business license, plus a fee of twenty-five dollars (\$25) for each endorsement added to the basic business license. Each basic business license and endorsement shall be valid for two (2) years from the date of issuance, unless earlier revoked or voluntarily relinquished.
- 500.3 The Director shall charge a fee of seventy dollars (\$70) for the renewal of each basic business license, plus a fee of twenty-five dollars (\$25) for each renewal endorsement added to the basic business license.
- 500.4 Starting on June 1, 2010, the Director shall charge an additional fee of ten percent (10%) on the total cost of each basic business license to cover the costs of enhanced technological capabilities of the basic business licensing system. The additional fee required by this subsection shall expire on October 1, 2013.

501 ENTERTAINMENT LICENSE ENDORSEMENTS

- 501.1 The Director shall charge fees for business license categories with an Entertainment endorsement as follows:
 - (a) Amusement park: \$416;
 - (b) Athletic exhibition: \$34;
 - (c) Billiard parlor: \$102 per table;
 - (d) Bowling alley: \$102 per lane;
 - (e) Carnivals and street festivals: \$158 per day;
 - (f) Circus: \$14 per car; \$19 per truck; with a maximum fee of \$875;
 - (g) Game table: \$102 per table;
 - (h) Mechanical Amusements Machines: \$50 for every three (3) machines;

- (i) Moving picture theater: \$1,079;
- (j) Public hall: \$1,300;
- (k) Skating rink: \$1,300;
- (l) Special events:
 - (1) If the application for the license is submitted thirty (30) days or more before the event: \$205 per day of event;
 - (2) If the application for the license is submitted between fifteen (15) and twenty-nine (29) days before the event: \$205 per day of event, plus \$100 expediting fee;
 - (3) If the application for the license is submitted fourteen (14) or fewer days before the event: \$205 per day of event, plus \$200 expediting fee;
- (m) Theater (live): \$2,392.

502 ENVIRONMENTAL MATERIALS ENDORSEMENT

502.1 The Director shall charge fees for business license categories with an Environmental Materials endorsement as follows:

- (a) Asbestos abatement business: \$780;
- (b) Bulk fuel metering: \$167;
- (c) Bulk fuel storage: \$208;
- (d) Bulk fuel above-ground tank: \$245 per tank;
- (e) Bulk fuel below-ground tank: \$160;
- (f) Dry cleaner: \$289;
- (g) Explosives: \$123;
- (h) Fireworks sales: \$130;
- (i) Fireworks sales (temporary): \$130;
- (j) Fireworks sales (wholesale): \$1,976;
- (k) Gasoline dealer: \$21 per pump;

- (l) Kerosene sales: \$78;
- (m) Pesticide applicator: \$130;
- (n) Pesticide operator: \$260;
- (o) Pesticide dealer: \$200;
- (p) Pyroxlin: \$130;
- (q) Solid waste collector: \$1,235;
- (r) Solid waste vehicle: \$253 per truck;
- (s) Solvent sales: \$50; and
- (t) Varsol sales: \$50.

503 HOUSING: TRANSIENT ENDORSEMENT

503.1 The Director shall charge fees for business license categories with a Housing: Transient endorsement as follows:

- (a) Boarding house or Rooming house:
 - (1) With one to four units: \$0;
 - (2) With five to 10 units: \$208;
 - (3) With 11 or more units: \$208, plus \$45 per each additional 10 units or fraction thereof;
- (b) Hotel:
 - (1) With one to 29 rooms: \$190;
 - (2) With 30 to 50 rooms: \$619;
 - (3) With 51 or more rooms: \$619, plus \$45 for each additional 10 rooms or fraction thereof;
 - (4) Hotel kitchen:
 - (A) One kitchen: \$0;

- (B) Two or more kitchens: \$190 per kitchen;
- (c) Inn and motel:
 - (1) With one to 29 rooms: \$45;
 - (2) With 30 to 50 rooms: \$411;
 - (3) With 51 or more rooms: \$411, plus \$45 for each additional 10 rooms or fractions thereof;
- (d) Bed and breakfast:
 - (1) With one to four rooms: \$0;
 - (2) With five to 10 rooms: \$208; and
 - (3) With 26 or more rooms: \$208, plus \$45 for each additional 10 rooms or fractions thereof.

504 HOUSING: RESIDENTIAL ENDORSEMENT

504.1 The Director shall charge fees for business license categories with a Housing: Residential endorsement as follows:

- (a) Apartment house:
 - (1) With three to five units: \$167;
 - (2) With six to 25 units: \$208;
 - (3) With 26 or more units: \$208, plus \$130 for each additional 25 units or fraction thereof;
- (b) One-family rental: \$35; and
- (c) Two-family rental: \$63.

504.2 Each license in this section shall be charged a per unit Rental Accommodations Division fee, pursuant to D.C. Official Code § 42-3504.01.

505 INSPECTED SALES AND SERVICES ENDORSEMENT

505.1 The Director shall charge fees for business license categories with an Inspected Sales and Services endorsement as follows:

- (a) Ambulance: \$91 per ambulance;
- (b) Auctioneer: \$578;
- (c) Auction sales: \$237;
- (d) Auction sales (temporary): \$91;
- (e) Auctioneer (temporary): \$100;
- (f) Elevator (passenger): \$141;
- (g) Elevator (freight, powered): \$141;
- (h) Elevator (freight, hand-driven): \$71;
- (i) Elevator (sidewalk, powered): \$71;
- (j) Elevator (sidewalk, hand-driven): \$47;
- (k) Escalator: \$117 per floor;
- (l) Man lifts: \$117;
- (m) Sidewalk elevators: \$166;
- (n) Dumbwaiters (powered): \$91;
- (o) Dumbwaiters (hand-driven): \$50;
- (p) Horse-drawn carriage: \$60;
- (q) Pawnbroker: \$1,430;
- (r) Pet shop: \$346;
- (s) Secondhand dealer (Class A): \$497;
- (t) Secondhand dealer (Class C): \$497;
- (u) Security alarm dealer: \$26;
- (v) Security alarm agent: \$26;
- (w) Security agency (firm): \$1,000; and

- (x) Security agency (person): \$500 per person.

506 MANUFACTURING ENDORSEMENT

506.1 The Director shall charge fees for business license categories with a Manufacturing endorsement as follows:

- (a) Mattress manufacturing: \$619; and
- (b) Mattress sales: \$45.

507 MOTOR VEHICLE SALES, SERVICE AND REPAIR ENDORSEMENT

507.1 The Director shall charge fees for business license categories with a Motor Vehicle Sales, Service, and Repair endorsement as follows:

- (a) Auto reposessor: \$45;
- (b) Auto rental: \$780;
- (c) Auto wash: \$78;
- (d) Consumer goods (auto repair): \$406;
- (e) Driving school: \$289;
- (f) Motor vehicle dealer: \$411;
- (g) Motor vehicle salesperson: \$45;
- (h) Used car lot: \$1,000;
- (i) Used car buyer/seller: \$45;
- (j) Used car seller only: \$45
- (k) Tow truck business: \$1,550;
- (l) Tow truck: \$326 per truck; and
- (m) Tow truck storage lot: \$300.

508 PUBLIC HEALTH: FOOD ESTABLISHMENT RETAIL ENDORSEMENT

508.1 The Director shall charge fees for business license categories with a Public Health: Food Establishment Retail endorsement as follows:

- (a) Candy manufacturer: \$289;
- (b) Commission merchant: \$1,560;
- (c) Ice cream manufacturer: \$2,730;
- (d) Marine food product (retail): \$289;
- (e) Bakery: \$375;
- (f) Caterer: \$222;
- (g) Delicatessen: \$450;
- (h) Food products: \$400;
- (i) Food vending machine: \$21 per machine;
- (j) Grocery store: \$289;
- (k) Restaurant:
 - (1) With one to 10 seats: \$450;
 - (2) With 11 to 50 seats: \$562;
 - (3) With 51 to 100 seats: \$673;
 - (4) With more than 100 seats: \$785;
- (l) Street vendor (Class A): \$338; and
- (m) Mobile delicatessen: \$346.

509 PUBLIC HEALTH: FOOD WHOLESALE

509.1 The Director shall charge fees for business license categories with a Public Health: Food Wholesale endorsement as follows:

- (a) Marine food product (wholesale): \$1,116.

510 PUBLIC HEALTH: PUBLIC ACCOMMODATIONS ENDORSEMENT

510.1 The Director shall charge fees for business license categories with a Public Health: Public Accommodations endorsement as follows:

- (a) Barber shop: \$78;
- (b) Beauty shops: \$78;
- (c) Massage establishment: \$780;
- (d) Mattress storage: \$45; and
- (e) Swimming pool: \$1,659.

**511 PUBLIC HEALTH: PHARMACY AND PHARMACEUTICALS
ENDORSEMENT**

511.1 The Director shall charge fees for business license categories with a Public Health: Pharmacy and Pharmaceuticals endorsement as follows:

- (a) Patent medicine: \$136.

512 PUBLIC HEALTH: FUNERAL ESTABLISHMENT ENDORSEMENT

512.1 The Director shall charge fees for business license categories with a Public Health: Funeral Establishment endorsement as follows:

- (a) Funeral establishment: \$228.

513 EMPLOYMENT SERVICES ENDORSEMENT

513.1 The Director shall charge fees for business license categories with an Employment Services endorsement as follows:

- (a) Employment agency: \$1,300;
- (b) Employment paid personnel service: \$1,300; and
- (c) Employment counseling: \$1,300.

514 GENERAL SALES ENDORSEMENT

514.1 The Director shall charge fees for business license categories with a General Sales endorsement as follows:

- (a) Barber chair: \$78;
- (b) Beauty booth: \$78;

- (c) Cigarette (retail): \$39;
- (d) Cigarette (wholesale): \$130;
- (e) General contractor: \$500;
- (f) Mattress sales: \$45;
- (g) Secondhand dealer (Class B): \$497;
- (h) Parking facility attendant: \$45;
- (i) Solicitor: \$411;
- (j) Street vendor (Class B): \$276; and
- (k) Street vendor (Class D): \$212.

515 GENERAL SERVICE AND REPAIR ENDORSEMENT

515.1 The Director shall charge fees for business license categories with a General Service and Repair endorsement as follows:

- (a) Consumer goods repair (electronic): \$406;
- (b) Home improvement contractor: \$167;
- (c) Home improvement salesperson: \$45;
- (d) Motor vehicle reinspection station: \$130;
- (e) Motor vehicle reinspector: \$65;
- (f) Parking facility:
 - (1) Up to 4,000 square feet: \$94;
 - (2) 4,001 to 16,000 square feet: \$128;
 - (3) More than 16,000 square feet: \$222;
- (g) Power laundry: \$245;
- (h) Tour guide: \$73; and
- (i) Valet parking company: \$222.

516 GENERAL BUSINESS ENDORSEMENT

516.1 The Director shall charge fees for business license categories with a General Business endorsement as follows:

- (a) Charitable solicitation: \$280;
- (b) Cooperative association: \$37; and
- (c) General business: \$200.

All persons desiring to comment on these proposed regulations should submit comments in writing to Helder Gil, Legislative Affairs Specialist, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, SW, Room 5164, Washington, D.C. 20024, or via e-mail at helder.gil@dc.gov, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested. Free copies are available on the DCRA website at <http://dcra.dc.gov> by going to the “DCRA News” link and then clicking on the “Rulemaking” tab.